



COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

December 10, 2013

Erie County Legislature
92 Franklin Street, 4th Floor
Buffalo, New York 14202

Re: Authorization to Utilize Various Cooperative Agreement Contracts

Dear Honorable Members:

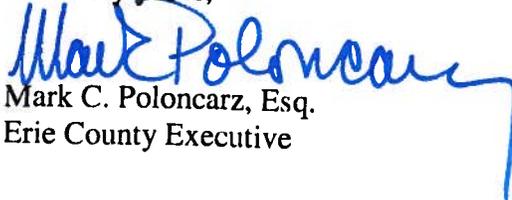
The Division of Purchase is seeking legislative authorization to utilize various Cooperative Agreement contracts that are newly available through recent changes in state law. This will allow the Division of Purchase to waive the cumbersome competitive bidding and RFP process, and allow the utilization of various contracts created with a sealed bidding process and/or a "Best Value" or RFP process. Any contract to be utilized by the Division of Purchase will be compared to the existing New York State Office of General Services contract in order to get the best value for county taxpayers.

The Division of Purchase requests authorization to engage with the following purchasing consortiums:

- National Cooperative Purchasing Alliance
- US Communities
- The Cooperative Purchasing Network
- Connecticut Consortium Cooperative Purchasing
- National Joint Powers Alliance
- National Inter-Government Purchasing Alliance

Should your honorable body require further information, I encourage you to contact Director of Purchase Vallie Ferraraccio. Thank you for your consideration on this matter.

Sincerely yours,


Mark C. Poloncarz, Esq.
Erie County Executive

MCP/bb
Enclosure

cc: Vallie Ferraraccio, Division of Purchase

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Division of Purchase
Re: Authorization to Utilize Various Cooperative Agreement Contracts
Date: November 27, 2013

SUMMARY

The Division of Purchase is seeking legislative authorization to utilize various Cooperative Agreement contracts that are newly available through recent changes in state law. This would allow the Division of Purchase to waive the County's cumbersome competitive bidding and RFP process and allow the utilization of cooperative agreement contracts created with a sealed bidding process and/or a "Best Value" or RFP process. These contracts will allow the Division of Purchase greater flexibility to find the best value for taxpayers when procuring materials, equipment, supplies and services.

FISCAL IMPLICATIONS

Positive. Erie County will be better able to take advantage of several low priced cooperative agreement contracts. This will allow the Division of Purchase to find the best bargain for Erie County. Additionally, the expectations for savings will not only be in the materials and services, but also in the personnel hours spent on bid preparing.

REASONS FOR RECOMMENDATION

The Division of Purchase wishes to take advantage of various low priced cooperative agreement contracts. The cooperative agreement contracts included within the resolution have been identified as having the potential to save significant taxpayer dollars.

This library of contracts will also assist the Division of Purchase fulfill requests more efficiently. Division or Purchasing personnel will then have more resources to research current products and services. This research will lead to recommendations to county departments to save taxpayer dollars.

BACKGROUND INFORMATION

Since 1953, political subdivisions in New York State, including Erie County, have used New York State Office of General Services (NYS OGS) contracts to purchase materials, equipment and supplies. Since this contract was established through a competitive bidding process, it met the competitive bidding requirements of General Municipal Law. Recent changes to NYS General Municipal Law authorizes political subdivisions, including Erie County, to make purchases through the use of contracts let by certain other governmental entities either to the lowest responsible bidder or on the basis of "Best Value", in a manner consistent with General Municipal Law § 103. The Division of Purchase has investigated available Cooperative Agreement contracts and has identified several it wishes to utilize: National Cooperative Purchasing Alliance, US Communities, The Cooperative Purchasing Network, Connecticut Consortium Cooperative Purchasing, National Joint Powers Alliance and the National Inter-Government Purchasing Alliance.

CONSEQUENCES OF NEGATIVE ACTION

The County will lose the opportunity to utilize various Cooperative Agreement contracts.

STEPS FOLLOWING APPROVAL

The Division of Purchase will join the various cooperative purchasing organizations and research the contracts that will meet the various needs of County departments.

**A RESOLUTION SUBMITTED BY:
DIVISION OF PURCHASE**

RE: Authorization to Utilize Various Cooperative Agreement Contracts

WHEREAS, since 1953, political subdivisions in New York State, including Erie County, have used New York State Office of General Services (NYS OGS) contracts to purchase materials, equipment, supplies and services; and

WHEREAS, since the NYS OGS contract was established through a competitive bidding process, it met the competitive bidding requirements of General Municipal Law; and

WHEREAS, recent changes to NYS General Municipal Law authorizes political subdivisions, including Erie County, to make purchases through the use of contracts let by certain other governmental entities either to the lowest responsible bidder or on the basis of "Best Value", in a manner consistent with General Municipal Law § 103, in addition to the NYS OGS contract; and

WHEREAS, the Division of Purchase has investigated the opportunities afforded by this legislation and has determined that it would be advantageous for Erie County to utilize additional cooperative agreement contracts when purchasing materials, equipment, supplies and services; and

WHEREAS, the Division of Purchase identified several cooperative agreement contracts it wishes to utilize: National Cooperative Purchasing Alliance, US Communities, The Cooperative Purchasing Network, Connecticut Consortium Cooperative Purchasing, National Joint Powers Alliance and the National Inter-Government Purchasing Alliance; and

WHEREAS, legislative approval is required for the Division of Purchase to utilize these cooperative agreement contracts.

NOW, THEREFORE, BE IT

RESOLVED, the Division of Purchase is hereby authorized to utilize the various cooperative purchasing agreements created by the National Cooperative Purchasing Alliance, US Communities, The Cooperative Purchasing Network, Connecticut Consortium Cooperative Purchasing, National Joint Powers Alliance and the National Inter-Government Purchasing Alliance to provide materials, equipment, supplies or services to the various County departments; and be it further

RESOLVED, that the provisions of Section 19.08 of the Erie County Administrative Code are hereby waived as it relates to the services procured by the Division of Purchase through contracts chosen from the various cooperative purchasing agreements created by the National Cooperative Purchasing Alliance, US Communities, The Cooperative Purchasing Network, Connecticut Consortium Cooperative Purchasing, National Joint Powers Alliance and the National Inter-Government Purchasing Alliance to provide services to the various County departments; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive, County Comptroller, Division of Budget and Management, and the Division of Purchasing.